



Hendry County Sheriff's Office

Call Clearing Guide



Eff. Date:
06/11/2019

Review Date:
06/11/2022

Revised Date:

Policy # Signal S2

Subject: Impaired Person

- I. **PURPOSE:** To establish standardized procedures and guidelines when handling an intoxicated pedestrian.
- II. **POLICY:** It is the policy of the Hendry County Sheriff's Office to assist members with the day-to-day protocols of the law enforcement division by explaining proper procedures and policies in order to perform duties more proficiently.

III. **PROCEDURE:**

A. Investigation: Determine the following:

1. Is the person in need of treatment or is the person disorderly and causing a public disturbance?
2. If you have a disorderly intoxication:
 - a. The person may be arrested and placed in the jail.
 - b. The person may be taken home or to a health facility. The Deputy may take reasonable measures to ascertain if the person has the money to pay for commercial transportation.
3. If the person is in need of medical treatment/or is an endangerment to themselves or others:
 - a. The Marchman Act:

[397.675](#) Criteria for involuntary admissions, including protective custody, emergency admission, and other involuntary assessment, involuntary treatment, and alternative involuntary assessment for minors, for purposes of assessment and stabilization, and for involuntary treatment.—A person meets the criteria for involuntary admission if there is good faith reason to believe that the person is substance abuse impaired or has a co-occurring mental health disorder and, because of such impairment or disorder:

- (1) Has lost the power of self-control with respect to substance abuse; and
 - (2)(a) Is in need of substance abuse services and, by reason of substance abuse impairment, his or her judgment has been so impaired that he or she is incapable of appreciating his or her need for such services and of making a rational decision in that regard, although mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his or her need for such services; or
 - (b) Without care or treatment, is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted, or threatened to or attempted to inflict, or, unless admitted, is likely to inflict, physical harm on himself, herself, or another.
- History.—s. 6, ch. 93-39; s. 737, ch. 95-148; s. 23, ch. 2016-241.

(1) Medical clearance may be required before the jail will accept the individual (Over .30 B.A.C.)

(2) Complete and sign all forms.

B. Forms:

1. Offense Report Form, or
2. Probable Cause and Arrest Form, if applicable

C. SUPERVISOR SECTION:

1. If the Hospital center refuses the person, make sure the Deputy obtains the Hospital employee's name, Id number, date, time and place of refusal for their report and jail requirements.

Your electronic signature in Power DMS acknowledges you have read this policy and understand it.